

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:

William Eric Covington, Seneca S. Covington,
Debtor.

Chapter 13

Nationstar Mortgage LLC d/b/a Mr. Cooper,
Movant,

Case No.: 19-11071-elf

vs.

William Eric Covington, Seneca S. Covington,
Debtor / Respondent,

and

William C. Miller, Esq.,
Trustee / Respondent.

**STIPULATION VACATING ORDER GRANTING RELIEF AND IN SETTLEMENT OF
CERTIFICATION OF DEFAULT**

Nationstar Mortgage LLC d/b/a Mr. Cooper ("Mortgagee"), and Seneca S. Covington and William Eric Covington ("Debtor"), by and through their respective counsel, hereby stipulate and agree as follows (as used herein the singular shall include the plural and the masculine shall include the feminine):

1. The parties agree that the Order Granting Motion For Relief Upon Certification of Default is hereby vacated and the automatic stay as provided for by 11 U.S.C. §362 shall remain in full force and effect conditioned upon the terms and conditions set forth herein.

2. Mortgagee is holder of a mortgage which is a lien on real property owned by Debtor known as and located at 400 N Charlotte Street, Pottstown, PA 19464 ("the Property").

3. The parties certify that there is a post-petition delinquency which is to be cured pursuant to the terms of this stipulation said delinquency consisting of the following:

2 Payments @ 1,158.37 (10/01/2019 – 11/01/2019)	\$2,316.74
Post-petition attorney fees and costs	\$300.00
Less Suspense Balance	(\$550.79)
Total Post-Petition Arrears	\$2,065.95

4. The total post-petition arrears in the amount of \$2,065.95 will be capitalized into and paid through the Debtor's Chapter 13 Plan. Debtor has filed a modified plan which includes the post-petition arrears. The Secured Creditor shall file an amended Proof of Claim to include the post-petition arrears as stated in this Stipulation.

5. Commencing on December 1, 2019, Debtor shall resume making regular monthly mortgage payments currently in the amount of \$1,158.37 and will pay late charges if applicable.

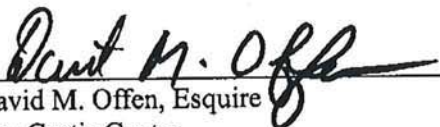
6. Should Debtor's regular monthly payment amount change, Debtor shall be notified of such change by Mortgagee, and the monthly payment amount due under the terms of this stipulation shall change accordingly.

7. Should Debtor fail to make any of the payments required by the terms of this stipulation, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, Mortgagee may send Debtor and Debtor's counsel a written notice of default of this stipulation. If the default is not cured within ten (10) days of the date of said notice, counsel for Mortgagee may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Property. In the event a Notice of Default is issued and the Debtor remits a partial payment, it is agreed that acceptance of partial payment by the Mortgagee during the cure period shall not constitute a satisfaction or waiver of the Notice of Default. Absent a full cure of the Notice of

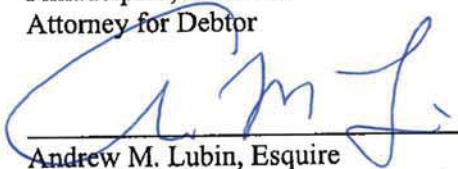
Default, Mortgagee may file its Certification of Default with the Court and pursue the entry of a relief order.

8. In the event the instant bankruptcy case is converted to a case under Chapter 7, this shall constitute a default under the terms of this Stipulation, counsel for Mortgagee may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Property.

STIPULATED AND AGREED TO BY:


David M. Offen, Esquire
The Curtis Center
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
Attorney for Debtor

Dated: _____


Andrew M. Lubin, Esquire
MILSTEAD & ASSOCIATES, LLC
1 E. Stow Road
Marlton, NJ 08053
Attorney for Movant

Dated: 12/10/19

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and

William C. Miller, Esq.,
Trustee / Respondent.

ORDER

IT IS HEREBY ORDERED that the Stipulation of Settlement filed on December 10, 2019 with regard to the above matter (Doc. # 77) is APPROVED.

Date: 12/11/19



**ERIC L. FRANK
U.S. BANKRUPTCY JUDGE**